

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 456362868 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 28, 2006 Signature: *Rosemarie Pulic-Salmeron*

(Rosemarie Pulic-Salmeron)

PATENT

Docket No. 559412000200

Client Ref. No. P16226DrB/SAN/bin

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Dolores SCHENDEL et al.

Examiner: K. Canella

Group Art Unit: 1643

Serial No.: 10/665,111

Filing Date: September 16, 2003

For: SEMI-ALLOGENIC ANTI-TUMOUR  
VACCINE WITH HLA HAPLO-  
IDENTICAL ANTIGEN-PRESENTING  
CELLS

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. A copy of the non-patent literature is submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of \_\_ is enclosed.
- ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other

Application Serial No. 10/665,111

PATENT  
Docket No. 559412000200

fees due in connection with the filing of this document to **Deposit Account No. 03-1952**  
referencing 559412000200.

Dated: September 28, 2006

Respectfully submitted,

By 

Alicia J. Hager

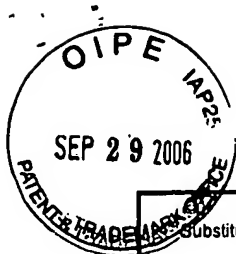
Registration No.: 44,140

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-4296



ALTERNATIVE TO PTO/SB/08a/b (07-05)

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/665,111
				Filing Date	September 16, 2003
				First Named Inventor	Dolores SCHENDEL
				Art Unit	1643
Sheet	1	of	1	Examiner Name	K. Canella
				Attorney Docket Number	559412000200

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
KAC ↓ ↓ ↓ ↓ ↓ ↓ ↓	1.	US-4,415,553-A	11-15-1983	Zhabilov et al.	
	2.	US-4,568,542-A	02-04-1986	Kronenberg	
	3.	US-4,789,658-A	12-06-1988	Yoshimoto et al.	
	4.	US-4,877,611-A	10-31-1989	Cantrell	
	5.	US-5,156,841-A	10-20-1992	Rapp	
	6.	US-5,290,551-A	03-01-1994	Berd	
	7.	US-5,582,831-A	12-10-1996	Shinitzky	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
KAC	8.	Kugler, A. et al. (September 2003). RETRACTION: "Regression of Human Metastatic Renal Cell Carcinoma After Vaccination with Tumor Cell-Dendritic Cell Hybrids," <i>Nature Medicine</i> 9(9):1221.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Karen A. Canella, Ph.D./	Date Considered	12/11/2006
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pa-1097313



IDS - 04/29/2004  
APR 29 2004

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/665,111	
	Filing Date	September 16, 2003	
	First Named Inventor	Dolores SCHENDEL	
	Art Unit	1645	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8 + 20 ref.	Attorney Docket Number	559412000200

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO-1449 + copy - 4 pages 2. Twenty (20) references 3. Return postcard
<div>Remarks</div>		

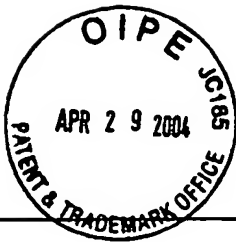
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Carol M. Gruppi - 37,341
Signature	
Date	April 26, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 26, 2004

Signature:   
Hazel M. Raskowitz



PATENT  
Docket No. 559412000200

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 26, 2004.

*Hazel M. Raskowitz*  
Hazel M. Raskowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dolores SCHENDEL et al.

Serial No.: 10/665,111

Filing Date: September 16, 2003

For: SEMI-ALLOGENIC ANTI-TUMOUR  
VACCINE WITH HLA HAPLO-  
IDENTICAL ANTIGEN-PRESENTING  
CELLS

Examiner: Not Yet Assigned

Group Art Unit: 1645

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

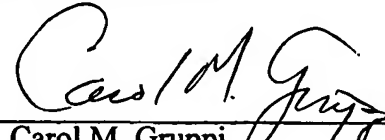
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 559412000200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 26, 2004

Respectfully submitted,

By: \_\_\_\_\_

  
Carol M. Gruppi  
Registration No. 37,341

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5777  
Facsimile: (650) 494-0792



Form PTO-1449

Docket Number 559412000200

Application Number 10/665,111

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

Applicant

Dolores SCHENDEL et al.

Filing date September 16, 2003

Group Art Unit 1645

Mailing Date April 26, 2004

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
KAC	1.	05/16/2000	6,063,375	Newton III et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
KAC	2.	08/06/1998	WO 98/33527 (A2 and A3)	WIPO			
KAC	3.	12/21/2000	WO 00/76537 (A2 and A3)	WIPO			

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
KAC	4.	Altman, J. D. et al. (1996). "Phenotypic Analysis of Antigen-specific T Lymphocytes," <i>Science</i> 274:94-96.
	5.	Boczkowski, D. et al. (2000). "Induction of Tumor Immunity and Cytotoxic T Lymphocyte Responses Using Dendritic Cells Transfected with Messenger RNA Amplified from Tumor Cells," <i>Cancer Res</i> 60:1028-1034.
	6.	Childs, R. et al. ((2000). "Regression of Metastatic Renal-Cell Carcinoma After Nonmyeloablative Allogeneic Peripheral-Blood Stem Cell Transplantation," <i>N. Engl. J. Med</i> 343(11):750-758.
	7.	Dannull, J. et al. (2000). "Current Status of Dendritic Cell-Based Tumor Vaccination," <i>Onkologie</i> 23:544-551.
	8.	Gong, J. et al. (2000). "Fusions of Human Ovarian Carcinoma Cells with Autologous or Allogeneic Dendritic Cells Induce Antitumor Immunity," <i>J. Immunology</i> 165:1705-1711.
	9.	Heiser, A. et al. (2000). "Human Dendritic Cells Transfected with RNA Encoding Prostate-Specific Antigen Stimulate Prostate Specific CTL Responses in Vitro," <i>J. Immunol.</i> 164:5508-5014.
	10.	Jantzer, P. et al. (1998). "Human Renal Cell Carcinoma Antigen-Specific Cytotoxic T Lymphocytes: Antigen-Driven Selection and Long-Term Persistence in Vivo," <i>Cancer Res.</i> 58:3078-3086.
✓	11.	Kolb, H.-J et al. (1995). "Graft-Versus-Leukemia Effect of Donor Lymphocyte Transfusions in Marrow Grafted Patients," <i>Blood</i> 86(5):2041-2050.

EXAMINER: /Karen A. Canella, Ph.D./

DATE CONSIDERED: 12/11/2006

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 559412000200	Application Number 10/665,111
	Applicant Dolores SCHENDEL et al.	
	Filing date September 16, 2003	Group Art Unit 1645
	Mailing Date April 26, 2004	

KAC	12.	Kufe, D. (2000). "Smallpox. Polio and Now a Cancer Vaccine?" <i>Nature Med</i> 6(3):252-253.
	13.	Kugler, A. et al. (2000). "Regression of Human Metastatic Renal Cell Carcinoma After Vaccination With Tumor Cell-Dendritic Cell Hybrids," <i>Nature Med.</i> 6:332-336.
	14.	Nair, S. K. et al. (1999). "Induction of Carcinoembryonic Antigen (CEA)-Specific Cytotoxic T – Lymphocyte Responses in Vitro Using Autologous Dendritic Cells Loaded with CEA Peptide or CEA RNA in Patients with Metastatic Malignancies Expressing CEA, <i>Int. J. Cancer</i> 82:121-124.
	15.	Nair, S. K. (1998). "Induction of Primary Carcinoembryonic Antigen (CEA)-Specific Cytotoxic T Lymphocytes In Vitro Using Human Dendritic Cells Transfected with RNA," <i>Nat. Biotechnol.</i> 16:364-369.
	16.	Schendel, D. J. et al. (2000). "Expression of B7.1 (CD80) in a Renal Cell Carcinoma Line Allows Expansion of Tumor-Associated Cytotoxic T Lymphocytes in the Presence of an Alloresponse," <i>Gene Therapy</i> 7:2007-2014.
	17.	Schendel, et al. (1993). "Tumor-Specific Recognition of Human Renal Cell Carcinomas by Tumor – Infiltrating Lymphocytes. 1. HLA-A2 Restricted Lysis of Autologous and Aliogeneic Tumor Lines," <i>J. Immunol.</i> 151:4209-4220.
	18.	Su, Z. et al. (2001). "The Generation of LMP2a-Specific Cytotoxic T Lymphocytes for the Treatment of Patients with Epstein-Barr Virus -Positive Hodgkin Disease," <i>Eur. J. Immunol.</i> 31:947-958.
	19.	Su, Z. et al. (2002). "Antigen Presenting Cells Transfected with LMP2a RNA Induce CD4+ LMP2a-Specific Cytotoxic T Lymphocytes which Kill Via a Fas-Independent Mechanism," <i>Leukemia and Lymphoma</i> 43(8):1651-1662.
↓	20.	Visseren, M. J. et al. (1995). "CTL Specific for the Tyrosinase Autoantigen Can Be Induced from Healthy Spender Blood to Lyse Melanoma Cells," <i>J. Immunol.</i> 154:3991-3998.

EXAMINER: /Karen A. Canella, Ph.D./	DATE CONSIDERED: 12/11/2006
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.